



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Chief Administrative Officer
County Counsel

At its meeting held July 13, 2004, the Board took the following action:

S-1

The following items were called up for consideration:

Consideration of the matter of a 1/2-cent sales tax measure on the November 2, 2004 ballot to finance law enforcement needs in the County Sheriff's Department and the many municipal police agencies within the County's boundaries, as requested by Supervisor Yaroslavsky at the meeting of June 15, 2004.

Also consideration of Supervisor Antonovich's following recommendations:

Implement a policy whereby the amount the Sheriff would gain from his 1/2-cent ballot initiative for the unincorporated areas would come from the County's existing revenues, such as the general funds currently allocated to the Department of Health Services for the County's commitment to the Maintenance of Effort for the 1115 Waiver which can be replaced with tobacco settlement funds, with the clear understanding that said funding shall be above and beyond the existing funding allocated to the Sheriff to enhance public safety and are not to be supplanted.

If the Board does not support the aforementioned plan, place a measure on the November 2, 2004 ballot which would call for a 1/4-cent sales tax increase with a commitment from the County and all participating contract and independent cities that they match those funds with an equivalent amount from their existing budgets which would be phased in as follows: First 3 years - 0% match; Years 4 and 5 - 50% match; and Year 6 and on - 100% match, with the formula for the allocation of the revenues to include increased funding for the Sheriff's custody operations and the measure to be constructed so as to prohibit supplanting.

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Leroy Baca, Sheriff, Alex Padilla and Eric Garcetti, Council Members of the City of Los Angeles, Dave Spence, Council Member of the City of La Canada Flintridge, Jacquelin McHenry, Council Member of the City of Claremont, Jon Blickenstaff, Mayor of the City of La Verne, and law enforcement officials from across the County, as well as interested members of the public addressed the Board. Written correspondence was presented.

After discussion, by common consent, there being no objection, the Board continued the aforementioned matter one week to July 20, 2004 at 11:00 a.m; and instructed the County Counsel and Chief Administrative Officer to meet with the various entities, Contract Cities Association, and the City of Los Angeles to refine and develop for approval, at the meeting of July 20, 2004, a final ordinance incorporating the following amendments:

Supervisor Yaroslavsky

Add a Section 4.69.050(D)(1) to read: Funds deposited into an entity's public safety reserve trust account must be spent within five years. If any such funds are not so spent, the Auditor-Controller will deduct the amount of the unspent funds from that entity's allocation of revenues for the sixth year.

Amend Section 2(D) and Section 4.69.050(C)(4) to add the following language: Except as delineated above, Public Safety and Homeland Security Tax Act revenues received by the County or a city may not be utilized to meet the Maintenance-of-Effort (MOE) requirements of the Act.

Amend the second sentence in the second paragraph of Section 4.69.090 to read: The role of the Oversight Committee shall be to review the annual report from the Auditor-Controller stating the amount of funds collected pursuant to this levy, **to review the distribution of funds pursuant to the terms of the ordinance and to report thereon annually to the Board of Supervisors.**

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Supervisor Knabe

Amend the second paragraph of Section 2(C) to read: For the purposes of this paragraph, the adopted budget for the 2003-04 fiscal year may be adjusted **only upon a two-thirds vote of the local governing body** to reflect reduced expenditures necessitated by reductions in state and federal assistance, or reductions in any other revenue source beyond the control of that local government entity.

Amend Section 2(D) to read: If a loss or reduction in local general purpose financial resources occurs, proceeds from this ordinance may be used to ensure public safety funding is not reduced below the adopted budget for the 2003-04 fiscal year, only if local financial resources to public safety are not reduced more than the total percent of the loss or reduction within the affected year, **and only upon a two-thirds vote of the local governing body.**

Amend any inference throughout the body of the ordinance that relates to the language noted above be changed to reflect the additional language regarding the two-thirds vote of governing bodies to effectuate supplanting of revenue.

Supervisor Antonovich

Various technical and grammatical changes to the Ordinance making the measure internally consistent in addition to the following:

- Add a section reducing the sunset clause
- Amendment to Section 2(D) Purpose and Intent - as it relates to supplanting language
- Amendment to Section 4.69.040 Definitions - to include a definition of County Unincorporated
- Amendment to Section 4.69.050 (B)(2)(e) to include a requirement that to qualify for the \$500,000 minimum allocation, that their budget for public safety must exceed the minimum allocation.
- Add a section for the addition of two members to the Oversight Committee

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